

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

DESHONE ORR,

Defendant.

Case No. 2:18-cr-265-LRH-EJY

**ORDER APPROVING
STIPULATION TO
CONTINUE SENTENCING
HEARING
(Fourth Request)**

IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A. Trutanich, United States Attorney, and Christopher Burton, Assistant United States Attorney, counsel for the United States of America, and Rene L. Valladares, Federal Public Defender, and Raquel Lazo, Assistant Federal Public Defender, counsel for Deshone Orr, that the Sentencing Hearing currently scheduled on May 5, 2020 at 9:45 am, be vacated and continued to a date and time convenient to the Court, but no sooner than sixty (60) days.

This Stipulation is entered into for the following reasons:

1. On March 19, 2020, Chief District Judge Du issued Temporary General Order 2020-04 which noted that “the COVID-19 pandemic has continued to spread,” resulting in the need for “more aggressive social-distancing measures.” Chief District Judge Du noted further

1 that, “[o]n March 17, 2020, the Governor of the State of Nevada ordered the closure of many
2 business establishments and strongly encouraged all citizens to stay home.” Accordingly, the
3 Court ordered the temporary closure of the Clerk’s office, and implemented other changes,
4 including “striving to eliminate in-person court appearances.” In the event any hearing must go
5 forward, the Court will conduct the hearing via video or teleconference. The Court will vacate
6 or amend GO 2020-04 no later than April 30, 2020.

7 2. On March 30, 2020, Chief District Judge Du issued Temporary General Order
8 2020-05 finding that felony pleas and sentencings “cannot be conducted in person in this district
9 without seriously jeopardizing public health and safety.” Chief District Judge Du further found
10 that if a judge finds that a felony sentencing cannot be further delayed without serious harm to
11 the interests of justice, the judge may, with defendant’s consent after consultation with counsel,
12 use video conferencing.

13 3. On April 16, 2020, this Court issued an order in this case directing the parties
14 “(1) to advise whether the defendant consents to proceed with sentencing, as scheduled but
15 using video conference and (2) to explain why the sentencing cannot be further delayed without
16 serious harm to the interests of justice, or (3) to advise whether the parties agree to a
17 continuance, indicating the maximum length of time.” ECF No. 47

18 4. Mr. Orr is currently incarcerated. Although he consents to proceeding via video
19 conferencing, at this time and given the facts of this case, defense counsel cannot articulate
20 specific reasons why the case cannot be further delayed “without serious harm to the interests
21 of justice.”

22 5. The parties agree to the continuance. Defense counsel has spoken to Mr. Orr,
23 and he agrees to a continuance of 60 days.

24 This is the fourth request for a continuance of the sentencing hearing.
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26

1 DATED this 17th day of April, 2020.

2
3 RENE L. VALLADARES
Federal Public Defender

NICHOLAS A. TRUTANICH
United States Attorney

4
5 */s/ Raquel Lazo*
6 By _____

7 RAQUEL LAZO
Assistant Federal Public Defender

/s/ Christopher Burton
By _____

CHRISTOPHER BURTON
Assistant United States Attorney

1 **UNITED STATES DISTRICT COURT**

2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 DESHONE ORR,

7 Defendant.

Case No. 2:18-cr-00265-LRH-EJY

ORDER

9
10 IT IS THEREFORE ORDERED that the sentencing hearing currently scheduled
11 for Tuesday, May 5, 2020 at 9:45 a.m., be vacated and continued to Thursday, July 16, 2020,
12 at the hour of 10:00 a.m., before District Judge Larry R. Hicks in a Las Vegas courtroom to be
13 announced at a later time.

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16
17 DATED this ____ day of April, 2020.

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21 UNITED STATES DISTRICT JUDGE